

# Wildlife Restoration/Hunter Education Advisory Team



## Advisory 2020-004: Printed information (Regulations and Media)

May 19, 2020

### 1. Are the costs associated with printing informational products (particularly hunting regulations) eligible for WSFR funding?

**Discussion:** According to Service Manual chapter 521 FW 1.8(E), the following are considered ineligible activities for WSFR funding:

*Establishment, publication, and dissemination of regulations issued by a State pertaining to the protection and utilization of fish and wildlife resources. Includes laws, orders, seasonal regulations, bag limits, creel limits, license fees, etc. This does not prohibit the scientific collection of information needed to support management recommendations.*

Due to recent amendments to the Wildlife Restoration Act, many long-standing Service policies will need to be revised, amended, or rescinded to coincide with new legislation. Service Manual chapter 521 FW 1 was adopted October 10, 2001 and needs to be updated. The Team debated the 2001 interpretation of law enforcement and whether printing and disseminating regulations are law enforcement activities. The Team considered that to become a responsible hunter, which is one of the primary purposes of the Basic Hunter Education program, it is imperative that hunters become knowledgeable and informed about hunting season dates, bag limits, legal hunting zones, and other laws and orders that are specified in printed and distributed hunting regulations. The Team feels there is a clear distinction between activities that create and enforce laws and activities that inform the public about the laws.

**Advisory:** The process of becoming informed and educated about laws and orders is not an act of law enforcement. Activities that are conducted to inform and educate the public about their responsibilities to comply with laws, orders, and regulations are not considered law enforcement activities and therefore eligible using funds at 16 U.S.C. 669c(c) (R3) or using funds at 16 U.S.C. 669h-1 (Enhanced Hunter Education/R3), including printing and distributing hunting regulations. The activities of developing, adopting, implementing, and enforcing hunting laws, orders, and regulations are clearly activities directly related to law enforcement and therefore are not eligible for WSFR funding. Certain portions of a publication that includes regulations may also include content that is ineligible for grant funds (e.g. advertisements or content related to ineligible activities). A State must evaluate each topic and the content included in a publication to determine if it is related to WSFR-eligible activities and meets the criteria of necessary and reasonable. Costs between eligible and ineligible content must be properly allocated.

Funds at 16 U.S.C. 669c(b) (Traditional Wildlife Restoration) could be used for the costs of content now found in hunting regulations/digests including hunting access programs, shooting range locations and information, locations of State wildlife management areas, wildlife disease information, and waterfowl and big game harvest information. This information is frequently derived from findings of existing Traditional Wildlife Restoration grants. Communicating this information is an eligible activity under Traditional Wildlife Restoration grants, including if they are infused in hunting regulations/digest content. The dual elements of public understanding of the laws, and thus the scope of opportunities the State is affording them to hunt and shoot, and the elements of Traditional Wildlife Restoration grants that support the State's management programs (e.g. disease, harvest, and land management information, etc..) make this publication an important facet of an R3 strategy for public information.

**2. Are the costs to produce magazines, printed materials, websites, and other forms of media eligible for WSFR funding?**

**Discussion:** Certain portions of printed media may be eligible for WSFR reimbursement depending on relevance to a WSFR-funded grant. States must evaluate all topics and content included in a publication to determine if it meets the criteria of allowability of cost according to Federal cost principles and is necessary and reasonable. Costs between eligible and ineligible content must be properly allocated.

**Advisory:** States must specify how communications products listed in the grant will effectively achieve the objectives in the approved grant. If specific topics in publications are related to projects and activities in a WSFR-funded grant, then properly allocated costs for those specific portions of the publication/media would be eligible for WSFR reimbursement.